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Paper No. 9

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JUN 26 2003

OFFICE OF PETITIONS

In re Application of  
Dennis Keith, Chandrika Govardhan and Nazer:  
Khalaf Nazer  
Application No. 10/024,701  
Filed: December 17, 2001  
Attorney Docket No. 13764-003001  
Title of Invention: METHODS FOR  
PREPARING PURIFIED DAPTOMYCIN

DECISION GRANTING STATUS  
UNDER 37 CFR 1.47(a)

This is in response to the renewed petition under 37 CFR 1.47(a), filed June 16, 2003 (certificate of mailing June 11, 2003).

The petition is GRANTED.

Petitioner has shown that the non-signing inventors Govardhan and Khalaf refused to join in the filing of the above-identified application after having been presented with the application papers. The declaration of Laurie Butler and the petition attest a copy of the application was sent to Richard Forrest the purported representative of both non-signing inventors. The non-signing inventors' failure to respond to the application mailing sufficiently establishes that they refuse to execute the application papers.

The above-identified application and papers have been reviewed and found in compliance with 37 CFR 1.47(a). This application is hereby accorded Rule 1.47(a) status.

As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the petition. Notice of the filing of this application will also be published in the Official Gazette.

This application is being forwarded to the Office of Initial Patent Examination for further processing.

Telephone inquiries related to this decision may be directed to the undersigned at (703) 306-0251.

*Charlema R. Grant*

Charlema R. Grant  
Petitions Attorney  
Office of Petitions



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Attorney Docket No. 13764-003001  
Title of Invention: METHODS FOR  
PREPARING PURIFIED DAPTOMYCIN

**OFFICE OF PETITIONS**

LETTER

Dear Mr. Govardhan:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, applicant (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

Telephone inquiries regarding this communication should be directed to Petitions Attorney Charlema R. Grant at (703) 306-0251. Requests for information regarding your application should be directed to the File Information Unit at (703) 308-2733. Information regarding how to pay for and order a copy of the application, or a specific paper in the application, should be directed to Certification Division at (703) 308-9726 or 1-800-972-6382 (outside the Washington D.C. area).

*Charlema R. Grant*

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Laurie Butler Lawrence  
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225 FRANKLIN ST  
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cc: Richard Forrest  
Altus Biologics, Inc  
625 Putnam Street  
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JUN 26 2003

LETTER OFFICE OF PETITIONS

Dear Mr. Khalaf:

You are named as a joint inventor in the above-identified United States patent application filed under the provisions of 35 U.S.C. 116 (United States Code) and 37 C.F.R. § 1.47(a), Rules of Practice in Patent Cases. Should a patent be granted on the application you will be designated therein as a joint inventor.

As a named inventor you are entitled to inspect any paper in the file wrapper of the application, order copies of all or any part thereof (at a prepaid cost as per 37 C.F.R. § 1.19) or make your position of record in the application. Alternatively, you may arrange to do any of the preceding through a registered patent attorney or agent presenting written authorization from you. If you care to join the application, applicant (see below) would presumably assist you. Joining in the application would entail the filing of an appropriate oath or declaration by you pursuant to 37 C.F.R. § 1.63.

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